LAKE WINNIPEG QUOTA ENTITLEMENT

ADMINISTRATIVE PROCEDURES

Manitoba
Natural Resources
Fisheries

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QUOTA ENTITLEMENT ADMINISTRATIVE PROCEDURES

INTRODUCTION

A major problem with the point system was that it eventually became overrun with exceptions, deviations and special permissions. The rationale for many of the decisions resulting in these departures from accepted procedures was poorly documented. As a result, some decisions appeared arbitrary, ambiguous and inconsistent. A major reason for this problem was the lack of clear and agreed upon procedures to guide administrators and managers in dealing with the inevitable contingencies and cases that "fell between the slats".

Acceptance of the Quota Entitlement system by both fishermen and the Executive was dependent upon developing a system of checks and balances that would protect individuals and communities from the negative aspects of transferability. Development and maintenance of and adherence to a well defined and explicit set of transfer procedures and guidelines are necessary to ensure the checks and balances will be effected. The consistent application of these procedures will allow the system to maintain credibility and avoid the problems encountered by the point system.

PROCEDURE NO. 1 EFFECTIVE DATE JANUARY, 1989

SUBJECT:

Processing Transfer Applications

OBJECTIVES:

To ensure the transfer process is consistent and objective for all transfer applications and that the process is as comprehensive as possible so as to deal with foreseeable contingencies prior to transfer approval/or di approval.

REVISION:

November, 1986 - At the August 13, 1986 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, it was recommended and approved that community committees be established in Grand Rapids (Area 7) and Berens River (Area 9) to verify an applicant's fishing experience.

August 10, 1988 - An experience verification committee was established for Community Licencing Area 11 (Wanipigow-Manigotagan) fishermen at a meeting in Hollow Water.

PROCEDURES:

1. Experience, residency, age, and employment status and maximum limit conditions checked. If any conditions are not met a letter of transfer denial and reasons for denial is sent to both parties.

2. Experience for a non quota entitlement holder is defined as having two years fishing experience for the season applied for. For individuals who hold a quota entitlement, the experience criteria will be waived. Helpers Permits constitute a valid verification of fishing experience. For Community Licencing Areas 11 (Wanipigow-Manigotagan), 7 (Grand Rapids) and 9 (Berens River) see Procedure No. 14 for verifying fishing experience.

   Residency is the principle area of residence (6 months plus 1 day) for the previous 12 months in a Community Licencing Area. The Lake Winnipeg Fisheries Management Advisory Board members will be contacted to verify residency for all applicants who do not hold a quota entitlement.

   The minimum age requirement for an individual acquiring a quota entitlement will be 18 and there will be no minimum age requirement for obtaining helper's permits.

Person must not have a full-time job at the time of application. Full time employment is defined as a person who receives a permanent ongoing salary (year-round job).

Maintaining maximum limit conditions will be the responsibility of Fisheries Branch through their departmental records.

3. If a season designation is included in the transfer application a check is made to determine if the quota entitlement has been totally harvested during the current fishing year. If a quota entitlement has been totally harvested both parties are notified that the quota is not eligible to be fished until the following fishing year.

4. See Procedure No. 3 for handling partially fished quota transfers.

5. Forward a copy or summary of all transfer applications to MACC. If transferer is indebted to MACC both parties will be informed that the transfer cannot proceed until arrangements are made with MACC to retire or transfer the debt.

6. If steps 1 - 3 did not require correspondence with transferring parties a letter of conditional approval with an explanation of the cooling off period is sent to both parties.

7. If no written notice of withdrawal is received after the cooling off period and the transfer request receives final approval, the Director of Fisheries will notify, in writing, both parties of the transfer approval. A new Quota Entitlement is sent to the new owner.

PROCEDURE NO. 2 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Season Designation

BACKGROUND:

The distribution of quota between the summer, fall and winter fishing seasons is not equal. This distribution is an artifact of pre-FFMC marketing policies. As a result, the maximum number of three season fishermen is restricted by the season with the fewest quotas. For example, if a particular community area has 28 summer quotas, 55 fall quotas and 19 winter quotas, the most three season fishermen this area could support is 19. Any allocation system will be hindered in its ability to allow fishermen to reach the three season status because of this problem. Therefore, the design of an alternative system requires an administrative procedure to overcome this unnecessary restriction.

OBJECTIVES:

To remove restrictions created by the unequal seasonal quota distribution and thereby facilitate the transfer process and allow fishermen maximum opportunity to reach three season status.

REVISION: MAY, 1988 -

Maximum number of quota entitlements a fisherman could hold, increased from 3 to 4 in 1987 for community licencing areas 1, 2, 3, 4, 6 and 7 and in 1988 in community licencing areas 5, 8, 9, 10, 11 and 12.

AUGUST, 1989 -

Maximum number of quota entitlements a fisherman can hold will increase from 4 to 6 for Community Licencing Areas 4 (Koostatak-Jackhead) and 6 (Dauphin River-Lake St. Martin) effective August 1, 1989.

PROCEDURES:

A Season Designation Option has been built into the transfer process. Upon application for transfer the transferee may change the season in which the transferred quota will be harvested. For example, a fisherman with summer and fall licences may acquire any seasonal quota through transfer and then designate it winter.

Other conditions have been placed on the season designation option. They are:

1. The option cannot be used in a manner which results in a quota entitlement being fished more than once during a fishing year.

The potential exists for a quota designated summer to be fished that season and then subsequently transferred to another individual who redesignates the quota for the fall or winter season of the same fishing year. If a quota entitlement has been harvested and is transferred during the same fishing year, this quota entitlement is not eligible to be harvested until the next fishing year. For partially fished quota transfers, see Procedure No. 3.

2. A quota entitlement cannot be transferred to oneself for the sole purpose of changing the season of harvest. During a test period in the Matheson Island area a number of individuals used the system to transfer quotas to themselves. They then used the season designation option to move winter quota into an open water season and thereby consolidate their fishing operations in the open water seasons. Most of these individuals held one open water and one winter quota entitlement. These self designations are not consistent with the option's objective. Self designations do not facilitate transfers or result in a greater number of three season fishermen. Although tangible benefits may be realized at the individual level a major shift of winter quota into open water through the self designation process would create serious marketing problems. Requests for season designations which are of this type will be denied.

3. The size of the quota will not change with a season designation.

4. The seasonal designation option will not be allowed in the Sturgeon Bay area of Lake Winnipeg. The seasonal designation option between open water and the winter quotas will not be allowed in the Grand Rapids and Poplar/Big Black River areas of Lake Winnipeg. They will allow seasonal designation at Grand Rapids and Poplar/Big Black River between the summer and fall quotas. The large differences in both quota amounts and species of fish harvested between open water and winter seasons makes this option impractical for these areas.

5. The maximum number of quotas an individual can hold increased from three to four effective for the entire lake by May, 1988. A transferee may not hold or control more than 4 Quota Entitlements of which not more than 2 may be designated for any one season. This means that a Lake Winnipeg fisherman can acquire up to 4 Quota Entitlements and can designate up to 2 for either the spring, fall or winter seasons.

6. The maximum number of quotas an individual may hold will increase from 4 to 6 for Community Licencing Areas 4 and 6, effective August 1, 1989. A transferee in these areas may not hold or control more than six Quota Entitlements of which not more than two may be designated for any one season. This means that fishermen residing in Licencing Areas 4 and 6 can acquire up to six Quota Entitlements and can designate up to 2 for either the summer, fall or winter seasons.

7. If an operator who resides in Community Licencing Areas 4 and 6 and holds a whitefish licence and skiff/bombardier licences, see procedure No. 11 to determine maximum number of quotas an operator will be allowed to hold effective August 1, 1989.

PROCEDURE NO. 3 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Partially Fished Quota Transfers.

BACKGROUND:

Currently, a fisherman who has partially fished his quota entitlement is not allowed to transfer the balance of the remaining quota to a buyer. This results in quota being unharvested during the year of transfer. At the November 9, 1988 Lake Winnipeg Fisheries Management Advisory Board meeting, a decision was reached to allow a fisherman who was selling his quota entitlement to transfer the remaining quota to a buyer during the same year of transfer under specific conditions.

OBJECTIVES:

To remove administrative restrictions involved in the transfer process and to maximize opportunities/benefits to harvest quota during the year of transfer.

PROCEDURES:

1. Transfer of partially fished quota during the same year of transfer may occur if:

- the transferor returns his commercial fishing licence to the Department of Natural Resources with his transfer application. No refund will be paid for licence returned whether it is fished or not.

- Proof of quota remaining (ie. Daily catch records, weekly weigh bills, consumer sales receipts, signed statement from fish agency) must be submitted by the seller to Fisheries Branch prior to final approval of quota transfer.

- Subsequent to final approval of quota transfer, a new quota entitlement is sent to the new owner and a commercial fishing licence is issued and recorded with the remaining quota to be harvested for that year.

PROCEDURE NO. 4 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Change of Residence

BACKGROUND:

Under the point system of allocation when a fisherman moved from one community area to another a vacancy was created in the area he left and an extra quota added to the area he moved into. Extra quota was absorbed by not filling vacancies that occurred in subsequent years. With quota entitlement the procedural mechanism to absorb extra quota created by a change of residence is lost and an alternative is required.

OBJECTIVES:

To maintain the distribution of quota among community areas while allowing unrestricted movement of fishermen between community areas.

REVISION:

June, 1986 - Removed a change of residence from a non-quota entitlement area to a quota entitlement area. Berens River fishermen voted in favour to be included in the Quota Entitlement system for the 1986 fall fishing season.

PROCEDURES:

Vacancies will no longer be created when a fisherman changes residential areas. Fishermen will continue to be allowed to change residential areas with full fishing privileges. However, quota entitlements will remain attached to the fisherman's original community area. If the quota is transferred it must be to a resident of the original community area.

Fishermen who move to an area within the Province, but outside the boundaries of a Lake Winnipeg community area may continue to fish. Upon withdrawal from the fishery, the quota must be transferred to a fisherman from the original community area.

Fishermen who move outside of the Province or country must transfer their quota entitlement.

PROCEDURE NO. 5 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Quota Entitlements which Become Part of an Estate.

BACKGROUND:

The quota entitlement system allows fishing rights to be owned by individual fishermen. Included, among others, in the bundle of ownership rights is the right to bequeath the quota. Individuals inheriting quota may not desire or may be unable to meet the "conditions of transfer" or obligations of quota entitlement holders. Administrative procedures are required to ensure individuals in this situation are treated fairly and consistently, while maintaining the controls associated with quota transferability and use.

OBJECTIVES:

To allow fishermen's heirs who do not meet the conditions or obligations of the quota entitlement system to benefit from the inheritance of a Quota Entitlement, while maintaining controls associated with transferability and/or use.

REVISION:

June 1986 - At the April 23, 1986 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, it was recommended and approved that for cases involving quota transfers which become part of an estate and only partial conditions for transfer are met, that a reasonable period be granted to the heir to dispose of the Quota Entitlement to someone who meets the conditions and is able to fulfill the obligations.

PROCEDURES AND GUIDELINES:

Individuals acquiring Quota Entitlements through inheritance will fall in two general categories:

1. Those who do not or have no desire to meet any of the conditions or obligations of the system, or those who only partially meet the conditions and obligations.

2. Those who meet all conditions and obligations.

Individuals in category 1 will be given a reasonable period to dispose of the Quota Entitlement to someone who meets the transfer

conditions and is able to fulfill the obligations. Quota Entitlements held under these circumstances may be fished by assignment if requested by the fisherman's heir or the executor of the estate.

Individuals in category 2 will be processed similar to any other transfer. The cooling off period should be waived providing the deceased fisherman's will is not contested.

In cases of a fisherman's death, a quota entitlement will be released by Fisheries Branch upon receipt;

- of a letter from the fisherman's executor notifying who the quota entitlement should be released to,

or - if no executor has being appointed, a statutory declaration (affidavit) from a surviving heir is required prior to the release of a quota entitlement.

PROCEDURE NO. 6 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Licence Suspensions

BACKGROUND:

Under the Lake Winnipeg "point" system, a commercial fishing licence was suspended for one conviction for decayed fish, small mesh or fishing during a closed season. A licence was cancelled permanently for two decayed fish convictions over a four year period, no production or underproduction in two years over a four year period.

The points system used licence suspensions as a management tool which penalized those improperly or under utilizing the resource. Cancellations also were used as deterrents, but more importantly they served to create a turnover of quota.

With a system of transferable quotas the purpose of cancellations and the effects of suspensions are changed. The need to create vacancies through cancellation is lost with the transition to transferable quotas. Therefore, cancellations are no longer necessary. The financial penalty resulting from suspensions is greater under the transferable quota system. Through suspension not only are a seasons earnings lost, but also that portion of the purchase price attributed to that season's earnings will take longer to recover.

With the move to quota entitlement both the needs and impacts of licence suspension and cancellation change and procedures require adjustment to meet the objectives of the new system.

OBJECTIVES:

To maintain the deterrent aspects of licence suspension while not imposing unrealistic financial penalties on offenders.

PROCEDURES:

Licence cancellations will no longer be used. A licence will be suspended for one of the following convictions:

1. leaving decayed fish in nets

2. small mesh nets

3. no production during any one season

4. underproduction in two years over a four year assessment period

The suspension will apply to the season in which the offense occurred and quota from the season under suspension may not be rolled over into a subsequent season.

Fishermen will still be entitled to appeal licence suspensions and procedures regarding appeals will remain unchanged.

While under suspension a fisherman may not assign another individual to harvest his quota entitlement.

PROCEDURE NO. 7 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Helper's Permits

BACKGROUND:

Helper's permits were a key element of the points system as they documented experience and dependency in the fishery. With the move to Quota Entitlement dependency is no longer a relevant criterion for entrance to the fishery and experience is reduced in importance. Although helper's permits will be maintained their emphasis under Quota Entitlement will be reduced.

OBJECTIVES:

To document the experience necessary to acquire a quota entitlement and to control the conditions under which non licenced fishermen may be on the lake.

PROCEDURES:

Permits are issued by Natural Resources Officers or Fisheries Branch. The number of permits that may be issued is not limited. It is the responsibility of the helper to ensure the permit is properly signed and reaches Fisheries Branch so that his experience may be recorded. The deadline date for receipt of permits is April 30. Only permits from the three seasons (summer, fall, winter) immediately before April 30 will be accepted. Helper permits from earlier fishing years or permits received after April 30 will not be accepted.

PROCEDURE NO. 8 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Injured or Sick Commercial Fishermen

BACKGROUND:

The points system allowed sick or injured fishermen to assign another licenced fisherman or helper to harvest their quota. The assignment required approval from the local Natural Resources Officer.

OBJECTIVES:

To allow fisherman who are unable to fish due to illness or injury to derive some income from the fishery.

REVISION:

June 1986 - added to procedure for clarification.

PROCEDURES AND GUIDELINES:

Approval of the assignment by a sick or injured fisherman is generally left to the discretion of the Natural Resources Officer. A fisherman who is sick or injured may secure permission from a District Office to have another fisherman tend his nets while he is disabled. A Doctor's letter will be required specifying the term to be off fishing. The assisting fishermen will be issued a letter of authority from the District Office.

PROCEDURE NO. 9 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Lake Winnipeg Licence Review Board

STATEMENT:

The Lake Winnipeg Licence Review Board will advise the Minister of matters relating to:

- appeals from fishermen who have their licences suspended

The Review Board will not accept appeals in regard to transfer of quota when established qualifying criteria are not met.

The Review Board has six members, four active commercial fishermen and two government personnel. The four commercial fishermen are appointed from the Lake Winnipeg Fisheries Management Advisory Board. One government personnel acts as Chairman while the other acts as Secretary.

REVISION:

June 1986 - At the April 23, 1986 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, it was recommended and approved that Natural Resources Officer be advised of licence suspensions appeals and be allowed to speak before the Licence Review Board or provide written submission.

OBJECTIVES:

To maintain an appeal mechanism where fishermen who have their licences suspended can present their case before a responsible board.

PROCEDURES:

1. The Board meets prior to the opening of each season to hear appeals, if required.

2. The Department receives appeals and refers all appropriate appeals to the Review Board.

3. The Chairman shall be in charge of running board meetings.

4. Each individual appeal is reviewed during the meeting of the board with the review based on either written correspondence with the applicant or on a personal representation by the applicant.

5. Following a thorough review of each appeal, the board makes recommendations to the Minister on each one.

6. The Chairman does not vote except in the event of a tie in which he will cast the deciding vote.

7. Applicants are informed of the decision of the Minister.

PROCEDURE NO. 10 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Commercial Fishing - Retirement Licences

STATEMENT:

On reaching the age of 55, a licenced fisherman may sell or transfer his quota entitlement and apply for a retirement licence. The retirement licence carries an individual quota of 650 kilograms (1400 pounds) whitefish, pickerel and sauger round weight. There is no fee for the retirement licence. The retirement licence applies to the season for which the retiree was licenced.

With recent increases in maximum quota limits a fisherman could hold, it was felt that some restrictions should be in place regarding the number of retirement licences a fisherman may obtain. Currently, it would be possible for a fishermen to hold four retirement licences if he held his maximum limit of four quota entitlements and transferred all of them.

OBJECTIVE:

To allow commercial fishermen to voluntarily sell or transfer their quota entitlements without being forced to give up fishing entirely.

REVISION:

June 1986 - At the April 23, 1986 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, it was recommended and approved that Retirement licences may not be fished by another person due to illness of the licencee - except to remove equipment from the water that the licencee has already set on his own.

August 1986 - At the August 18, 1988 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, it was recommended and approved that commercial fishermen may accummulate up to a maximum of three retirement licences (one retirement licence/season) if an individual holds at least one quota entitlement during the summer, fall and winter season. This policy change takes effect, immediately.

PROCEDURE:

Any active fisherman 55 years of age or over may take application for and receive a retirement licence only at time of selling or transferring his quota entitlement. The retirement licence is issued for the same season as the quota entitlement that was voluntarily sold or transferred.

Retirement licences may not be fished by another person due to illness of the licencee - except to remove equipment from the water that the licencee has already set on his own.

PROCEDURE NO. 11 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Northend Whitefish Fishery

BACKGROUND:

Participation was limited to 44 licences in the open water season and vacancies were filled through the established points system but not on a community area basis. Competition for entry was on a lake-wide basis. Under the quota entitlement system, 44 quota entitlements will be available for sale or transfer on a lake wide basis.

OBJECTIVE:

To maintain the whitefish fishery where the capital investment required to participate in this fishery is substantially greater than for other operations on Lake Winnipeg.

REVISION:

AUGUST, 1988 - At the August 18, 1988 Lake Winnipeg Commercial Fisheries Management Advisory Board meeting, a decision was made to allow whitefish fishermen to buy and sell one half of a whitefish quota or 7940 kilograms. This policy change takes effect immediately.

PROCEDURES:

1. An applicant for whitefish quota entitlement must be 18 and a permanent resident of any community licencing area with two summer seasons fishing experience on Lake Winnipeg.

2. Holders will be restricted to a maximum of two Quota Entitlements during the whitefish commercial fishery. The low number of participants and relatively high personal quotas are necessary to assure the whitefish fishermen of a return over and above their capital and operating costs.

3. Whitefish quota entitlement holders will be restricted from purchasing a quota entitlement during the summer skiff fishery.

   However, in cases where a summer skiff fisherman purchases a whitefish quota entitlement every opportunity will be afforded to the purchaser to re-allocate his summer skiff quota entitlement.

4. (A) As of November 1, 1987 whitefish fishermen will be able to hold up to a maximum of four Quota Entitlements as follows;

2 whitefish quotas, plus	or one whitefish quota, plus
1 fall and 1 winter, or	1 fall and 2 winter
2 fall and 0 winter, or	2 fall and 1 winter
0 fall and 2 winter	

(B) As of August 1, 1989 whitefish fishermen from Community Licencing Areas 4 and 6 will be able to hold up to a maximum of 6 Quota Entitlements as follows:

2 whitefish quotas, plus	or one whitefish quota, plus
2 fall and 2 winter	2 fall and 2 winter

5. Fishermen buying or selling a half quota (7940 kilograms) must have a minimum of 15,880 kilograms if they wish to remain active in the whitefish fishery. Fishermen holding a half quota only will not be allowed to harvest this half quota in any Lake Winnipeg fishery. Fishermen holding a half quota only will be given a reasonable time to dispose of this half quota.

PROCEDURE NO. 12 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Community Licencing Areas

BACKGROUND:

The settlements around Lake Winnipeg are grouped into twelve zones or "community licencing areas". Where a licence vacancy occurred, a licence was issued to the applicant who was a resident of the area and was the highest point holder among the applicants in that community. Under the Quota Entitlement system, Quota Entitlements can only be transferred between residents of a Community Licencing Area.

OBJECTIVE:

To maintain the concept of Community Licencing Areas thus protecting the economic base the fishery provides the area.

PROCEDURE:

1. The settlements around Lake Winnipeg are grouped into twelve zones or Community Licencing Areas (see Plan of Survey Map 18877B).

2. Fishermen acquiring a Quota Entitlement associated with a particular community area must be a permanent resident of that community licencing area.

3. Residency is defined as the principle area of residence (6 months plus 1 day) for the previous 12 months in a Community Licencing Area.

4. The Lake Winnipeg Commercial Fisheries Management Advisory Board members will be contacted to verify residency for all applicants who do not hold a Quota Entitlement.

5. As of November 1, 1987 Community Licencing Areas 1 and 2 were combined into one licencing area. This means that fishermen living in Selkirk, Winnipeg, Matlock, Winnipeg Beach, Arnes and Gimli will now be able to transfer between their areas.

6. As of November 1, 1987 Community Licencing Areas 5 and 10 were combined into one licencing area. This means that fishermen living in Matheson Island, Pine Dock, Loon Straits, Princess Harbour and Bloodvein will now be able to transfer quota between their areas.

7. As of May 1, 1989, Community Licencing Areas 3 and 12 will be combined with Licencing Areas 1 and 2. This means that fishermen living in Selkirk, Winnipeg, Matlock, Winnipeg Beach, Gimli, Arnes, Arborg, Hnausa, Riverton, Hecla, Traverse Bay, Victoria Beach, Grand Marais, Beaconia, Scanterbury and St. George will now be able to transfer quota among their areas.

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PROCEDURE NO. 13 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Quota Entitlements which are lodged as Security for Loans.

BACKGROUND:

A quota entitlement may, upon written notice and approval from the Director be lodged as security for a loan with MACC or any other lending institution. Situations will arise where the quota entitlement holder will be unable to meet his debt obligations and MACC or lending institution will acquire an interest in the quota entitlement upon default. MACC or lending institution acquiring quota in this manner will be unable to meet the conditions or obligations of the quota entitlement system.

OBJECTIVES:

To maintain the controls associated with transferability and use.

To allow MACC or other lending institutions to recover funds which are secured by quota entitlements.

PROCEDURES:

- In the event of a default on a Quota Entitlement loan, the entitlement will be returned to Fisheries Branch and the Branch will reimburse MACC or other lending institution for the outstanding loan value, or

- Allocate the quota entitlement to an individual who meets the requirements of the system and is prepared to assume or retire the debt to the satisfaction of MACC or other lending institution.

PROCEDURE NO. 14 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Experience Verification Committee

OBJECTIVE:

To document the experience necessary to acquire a quota entitlement in instances where an applicant does not have sufficient experience documented by helper's permits.

BACKGROUND:

During the August 13, 1986 Lake Winnipeg Commercial Fisheries Advisory Board meeting, members from Grand Rapids (Area 7) and Berens River (Area 9) recommended that community committee's be established in their areas to verify an applicant's fishing experience. Subsequently, the Minister of Natural Resources approved this recommendation.

An Experience Verification Committee was established for Community Licencing Area 11 (Wanipigow-Manigotagan) fishermen at a meeting in Hollow Water on August 10, 1988.

PROCEDURES:

1. The administration of the experience criteria will be changed in Wanipigow-Manigotagan, Grand Rapids and Berens River. In instances where an applicant does not have sufficient experience documented by helper's permits, Fisheries Branch will consult with a community committee to determine if the applicant has obtained the necessary experience.

2. Transfer applicants are required to have two seasons experience for the season applied for before the transfer can be approved. The community committee will verify whether the applicant in question meets the transfer criteria or not.

3. Fisheries Branch (Gimli) will submit names of applicants from the affected community areas who do not meet the experience criteria to the community committee. The committee will reply in the form of a written motion signed by a majority of the committee members stating whether or not the applicant meets the experience criteria.

4. Upon receipt of written reply from the community committee - Fisheries Branch will continue to process the transfer application through the normal channels.

PROCEDURE NO. 15 EFFECTIVE DATE JANUARY, 1989.

SUBJECT:

Amending Terms and Conditions of Quota Entitlements.

OBJECTIVE:

To clarify procedures for amending terms and conditions of quota entitlements.

PROCEDURES:

1. Prepare and distribute quota entitlement proposed changes to Lake Winnipeg Commercial Fisheries Advisory Board members. Ask Board members to discuss proposals with their area fishermen.

2. Hold Advisory Board meeting to discuss proposals. Formulate recommendations and seek Ministerial approval, if required. If proposal does not require Ministerial approval and agreement on the proposal is reached between Fisheries Branch and the Lake Winnipeg Advisory Board members, proceed to number 4.

3. Notify Advisory Board members of the Minister's decision regarding recommendations.

4. Notify all Lake Winnipeg quota entitlement holders of quota entitlement changes. Any amendments to the conditions or obligations of the Quota Entitlement requires a minimum of 60 days to one year written notice by the Province to quota entitlement holders. The notification period should be determined by mutual agreement between Fisheries Branch and the Lake Winnipeg Advisory Board.

5. Notify appropriate Regional district offices, MACC and FFMC of quota entitlement changes.

6. Update/revise Lake Winnipeg quota entitlement administrative procedures and distribute revisions to appropriate staff.

7. If necessary, recall, revise and distribute quota entitlement documents and make revisions to application forms and/or Plan of Survey maps.